

The Law Firm of

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May 22, 2020

Via ECF

Hon. US District Judge Mary Kay Vyskocil
Daniel Patrick Moynihan Courthouse
500 Pearl Street, Courtroom 18C
New York, NY 10007

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 5/26/2020
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Re: Rizzica v. 213-85 Corp.
Docket #: 18-cv-08003-MKV-SLC

Dear Judge Vyskocil:

Our office represents the Plaintiff in the above matter.

We are writing to respectfully request an extension of time to file our Joint Pretrial Order. The current deadline for the submission of same is May 26, 2020 as set by your Order dated March 20, 2020.

We respectfully request a ninety (90) day extension. The extension is being sought for the following exigent circumstances which currently exist.

1. Our firm is a small practice. My sister and law partner, Judy Wagner, Esq., and I are the only attorneys in our office. Our office has been effectively closed since March 23, 2020 in compliance with the New York State COVID-related executive orders.
2. The preparation of the Pretrial Order is my primarily responsibility in the firm. I am the residential custodial parent of my three children, ages 12, 15 and 18. My oldest son is a student at St. John's University. As St. John's was shut down for the Spring semester, he studied at home for rest of the semester. My two younger children are students in the NYC school system. They too, have been performing all their schoolwork from home since the social distancing lockdown. Regrettably, I am not equipped with adequate technology which enables me to work from home.
3. My partner, Judy Wagner, Esq., resides with her husband who is a pharmacist in Lutheran Medical Center and her twenty-five year-old daughter who is a nurse at Memorial Sloan Kettering Cancer Center. During the time since your prior Order, my sister's entire household, including her, were infected with the coronavirus.

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4. In addition, our office remains without staff due social distancing mandates by government brought about by the current coronavirus pandemic. At this juncture, it remains very uncertain as to when things will return to "normal."
5. It is not likely that the extension would cause a delay in the commencement of the trial as it is my understanding that until further order, no new civil trials are being commenced in the Southern District.

I have conferred with defense counsel, Rhonda D. Thompson, Esq., by e-mail. She consents to the relief sought herein.

For the reasons stated above, and given the uncertain nature of the above concerns, it is respectfully requested that the deadline for the submission of the Joint Pretrial Order, and ancillary documents, be extended for ninety (90) days to, and including, Monday, August 24, 2020.

The courtesy and understanding of the Court is greatly appreciated.

Respectfully yours,

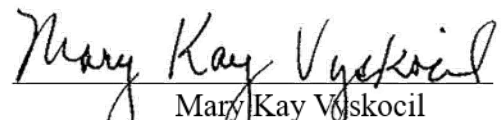
/s/ Edward Wagner

EDWARD WAGNER, ESQ.
EW:s

cc: Law Office of Kevin J. Philbin Att: Rhonda D. Thompson, Esq. via ECF

Granted. SO ORDERED.

Date: 5/26/2020
New York, New York


Mary Kay Vyskocil
United States District Judge